

S/N New Filing

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**M&G Code No. 23552**

Applicant:	Alferness	Examiner:	New Filing
Serial No.:	New Filing	Group Art Unit:	New Filing
Filed:	September 23, 2003	Docket No.:	11998.1USC9
Title:	CARDIAC REINFORCEMENT DEVICE		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 347838475 US  
Date of Deposit: September 23, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop IDS, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *Teresa Anderson*  
Name: Teresa Anderson

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop IDS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

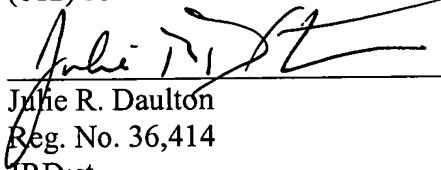
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 9-23-03

  
Julie R. Daulton  
Reg. No. 36,414  
JRD:st

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 11998.1USC9	Application Number: NEW FILING
	Applicant: Alferness	
	Filing Date: 09/23/2003	Group Art Unit: New Filing

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,983,863	10/05/1976	Janke et al.			
	4,048,990	09/20/1977	Goetz			
	4,403,604	09/13/1983	Wilkinson et al.			
	4,428,375	01/31/1984	Ellman			
	4,630,597	12/23/1986	Kantrowitz et al.			
	4,690,134	09/01/1987	Snyders			
	4,821,723	04/18/1989	Baker, Jr. et al.			
	4,834,707	05/30/1989	Evans			
	4,878,890	11/07/1989	Bilweis			
	4,936,857	06/26/1990	Kulik			
	4,957,477	09/18/1990	Lundback			
	4,973,300	11/27/1990	Wright			
	4,976,730	12/11/1990	Kwan-Gett			
	5,087,243	02/11/1992	Avitali			
	5,131,905	07/21/1992	Grooters			
	5,150,706	09/29/1992	Cox et al.			
	5,186,711	02/16/1993	Epstein			
	5,192,314	03/09/1993	Daskalakis			
	5,256,132	10/26/1993	Snyders			
	5,290,217	03/01/1994	Campos			
	5,356,432	10/18/1994	Rutkow et al.			
	5,383,840	01/24/1995	Heilman et al.			
	5,385,156	01/31/1995	Oliva			
	5,429,584	07/04/1995	Chiu			
	5,507,117	10/15/1991	Atweh			
	5,507,779	04/16/1996	Altman			
	5,524,633	06/11/1996	Heaven et al.			
	5,603,337	02/18/1997	Jarvik			
	5,647,380	07/15/1997	Campbell et al.			
	5,702,343	12/30/1997	Alferness			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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	5,713,954	02/03/1998	Rosenberg et al.			
	5,800,528	09/01/1998	Lederman et al.			
	6,077,218	06/2000	Alferness			
	6,126,590	10/2000	Alferness			
	6,165,121	12/2000	Alferness			
	6,165,122	12/2000	Alferness			
	6,375,608	04/2002	Alferness			
	6,544,168	04/2003	Alferness			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 280 564	08/31/1988	EP				
	3831540	04/06/1989	DE			Abstract Only	
	3831540 C	06/24/1993	DE			Abstract Only	
	DE 295 17 393 U1	03/14/1996	Germany (English Language)				
	DE 295 17 393 U1	03/14/1996	Germany (German Language)				
	2209678	05/24/1989	GB			Abstract Only	
	JP 01-145066	06/07/1989	Japan			Abstract	
	JP 60203250	10/14/1985	Japan			Non certified	No
	WO 98/29041	07/09/1998	PCT				
	WO 98/58598	12/30/1998	PCT (English Language)				
	WO 98/58598	12/30/1998	PCT (German Language)				
	SU 1009457 A	04/07/1983	Russia			Non certified	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Abstracts From the 68th Scientific Sessions, Anaheim Convention Center, Anaheim, California, November 13-16, 1995", <i>American Heart Association Supplement to Circulation</i> , Vol. 92, No. 8, Abstracts 1810-1813 (October 15, 1995).
	Capomolla et al., "Dobutamine and nitroprusside infusion in patients with severe congestive heart failure: Hemodynamic improvement by discordant effects on mitral regurgitation, left atrial function, and ventricular function", <i>American Heart Journal</i> . Vol. 134, No. 6, pp. 1089-1098 (December 1997).
	Capouya et al., "Girdling Effect of Nonstimulated Cardiomyoplasty on Left Ventricular Function," <i>Ann. Thorac. Surg.</i> , 56:867-871 (1993)

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		Coletta et al., "Prognostic value of left ventricular volume response during dobutamine stress echocardiography", <i>European Heart Journal</i> , Vol. 18, pp. 1599-1605 (October 1997).
		Jay N. Cohn, "The Management of Chronic Heart Failure", <i>The New Eng. J. of Med.</i> , <u>335</u> (7): 490-498 (August 15, 1996)
		David A. Kass et al., "Reverse Remodeling From Cardiomyoplasty in Human Heart Failure, External Constraint Versus Active Assist", <i>Circulation</i> <u>91</u> (9): 2314-2318 (May 1, 1995)
		Howard R. Levin et al., "Reversal of Chronic Ventricular Dilation in Patients With End-Stage Cardiomyopathy by Prolonged Mechanical Unloading", <i>Circulation</i> <u>91</u> (11): 2717-2720 (June 1, 1995)
		Oh et al., "The Effects of Prosthetic Cardiac Binding and Adynamic Cardiomyoplasty in a Model of Dilated Cardiomyopathy," <i>The Journal of Thoracic and Cardiovascular Surgery</i> , <u>116</u> (1):148-153 (July 1998)
		Paling, "Two-Bar Fabrics (Part-Set Threading)", <i>Warp Knitting Technology</i> , Columbine Press (Publishers) Ltd., Buxton, Great Britain, p. 111 (1970).
		Revista Española de Cardiología, Volume 51, Number 7, July 1998 (Abstract in English)
		Abstract: Mikhail Vaynblat et al., "Cardiac Binding in Experimental Heart Failure," <u>Abstract</u> in Supplement to <i>Circulation</i> <u>92</u> (8):1810 (October 15, 1995).

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